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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,988	05/02/2006	Noriaki Ueda	F-9023	5531
28107 7590 09/28/2009 JORDAN AND HAMBURG LLP 122 EAST 42ND STREET SUITE 4000 NEW YORK, NY 10168				
EXAMINER				
KIM, ANDREW				
ART UNIT		PAPER NUMBER		
3714				
MAIL DATE		DELIVERY MODE		
09/28/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/571,988

Applicant(s)

UEDA ET AL.

Examiner

ANDREW KIM

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-7 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-7 and 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date 3/10/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claims 2-7 and 10-15 are objected to because of the following informalities: The claim language is not in proper idiomatic English. Appropriate correction is required.

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter. For example, paragraph 1 states, "the present invention relates to a game system using an electronic money." The "an" should be deleted.

Also, paragraph 5 references a foreign patent but does not indicate the country.

Another example is found in paragraph 15, a reader/writer is "lightened." However, the Examiner believes it should be "lit."

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 11 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 11 seems to be wholly directed to a game program which is non-statutory subject matter. The claimed subject matter must (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2-7, 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Lucero (US 5,811,772).

Claims 10, 11, 13. A game system comprising:

a game machine established in a store for executing a game using an electronic money (fig. 6, Slot 1, Slot N);

an electronic money terminal control means for controlling usage of said game machine and execution record of said game on said game machine using electronic money (2:50-55);

a game control means for integrating record of said electronic money terminal control means in a plurality of said stores (2:54-65);

an electronic money control means for controlling a usage record of said electronic moneys (2:28-50);

an electronic money terminal comprising a reader/ writer means capable of communicating with an electronic money storage medium which stores information of said electronic money and an execution recognition means operated by a player when said player starts said game on said game machine using said electronic money (2:28-35);

a communication means with electronic money control means for communicating with said electronic money control means and for transmitting said information of said electronic money read by said reader/ writer means to said electronic money control means (5:15-25); and

a game start control means for starting execution of said game, which starts game execution when said game start control means receives a communication of a balance of said electronic money storage medium from said communication means with electronic money control means, said player operates said execution recognition means and said balance is not less than a unit price of said game (5:50-67).

Claim 2. A game system according to claim 13, wherein said electronic money terminal comprises a space into which said electronic storage medium is inserted (fig. 1, item 22).

Claim 3. A game system according to claim 13, wherein said electronic money terminal comprises: a slit into which said electronic storage medium is inserted (fig. 1, item 22); and a drawing out restricting means for restricting drawing out of said electronic money

storage medium during a period from said electronic money storage medium is inserted into said slit to said game is terminated and permits drawing out of said electronic money storage medium (2:28-45, the PIN).

Claim 4. A game system according to claim 13, 2 or 3, wherein said reader/ writer means starts communication with said electronic money storage medium after said execution recognition means is operated (fig. 5, items 112-120).

Claim 5. A game system according to claim 13, 2 or 3, wherein said electronic money terminal comprises an electronic money storage medium detecting means for detecting said electronic money storage medium existing at a predetermined position relative to said reader/ writer means and said reader/ writer means starts communication with said electronic money storage medium after said electronic money storage medium is detected by said electronic money storage medium detecting means (2:31).

Claim 6. A game system according to claim 13, 2 or 3, wherein said communication means with electronic money control means and said game start control means are provided one for a plurality of said electronic money terminals and that a switch means is further provided for connecting selectively one of said electronic money terminals to said communication means with electronic money control means and said game start control means (fig. 6, 8:33-60).

Claim 7. A game system according to claim 13, 2 or 3, wherein, a balance inquiry confirmation means which is operated by said player when said player tries to inquire said balance of said electronic money is provided, and that said balance is displayed

during a period when said player operates said balance inquiry confirmation means (2:55-65, 5:60-6:24).

Claim 12. A memory medium readable by said information processing apparatus in which said game program according to claim 11 is stored (6:16).

Claim 14. A game system according to claim 13, 1 or 2, wherein said electronic money terminal further comprises a display means for displaying a unit price of said game and a balance of said electronic money storage medium (fig. 1).

Claim 15. A game system according to claim 14, wherein said electronic money terminal automatically displays said balance only when said balance is not more than a predetermined value, after said electronic money storage medium is detected by said electronic money storage medium detecting mean (2:49).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW KIM whose telephone number is (571)272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry. Suhol/
Supervisory Patent Examiner, Art
Unit 3714

9/28/2009 /A. K./
Examiner, Art Unit 3714